

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

RONALD E. DOYLE,

Plaintiff,

v.

LOUIS VUITTON USA INC.,
A DELAWARE CORPORATION

Defendants.

Case No. 2:20-cv-4491-BHH-MGB

**NOTICE OF REMOVAL OF ACTION TO FEDERAL COURT BASED ON
FEDERAL QUESTION JURISDICTION UNDER 28 U.S.C. §§ 1331 AND 1441**

Defendant Louis Vuitton USA Inc. (“Louis Vuitton” or “Defendant”) hereby files this Notice of Removal, pursuant to 28 U.S.C. §§ 1331 and 1441, and removes to the United States District Court for the District of South Carolina, the cause of action currently pending in the Court of Common Pleas, Ninth Judicial Circuit in and for the State of South Carolina, County of Charleston styled *Ronald E. Doyle v. Louis Vuitton USA Inc., A Delaware Corporation*, Case No. 2020-CP-10-5023, on the following grounds:

This Notice of Removal is founded and based upon a federal question pursuant to 28 U.S.C. §§ 1331 and 1441. Plaintiff Ronald E. Doyle (“Plaintiff”), originally filed this civil action on or about November 17, 2020,¹ in the Court of Common Pleas, Ninth Judicial Circuit in and for the State of South Carolina, County of Charleston. Plaintiff is seeking monetary damages from the Defendant. As required by 28 U.S.C. § 1446(a), a copy of the process, pleadings, orders and other

¹ Although the Complaint was stamped as received on November 17, 2020, the online docket reflects a filing date of November 16, 2020.

documents presently contained in the state court file and available for copying are attached to this Notice as **Exhibit 1**.

A. CONSENT TO REMOVAL

1. Defendant consents to removal of this action. Louis Vuitton is the only Defendant in this matter served with the Summons and Complaint.

B. TIMELINESS OF REMOVAL

2. Defendant was served on December 1, 2020. Accordingly, this Notice of Removal is timely filed within thirty (30) days of the date of service pursuant to 28 U.S.C. § 1446(b).

C. THE VENUE REQUIREMENT IS MET

3. Venue of this removal is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division corresponding to the place where the state-court action is pending.

D. FEDERAL QUESTION AT ISSUE

4. Plaintiff alleges purported claims under the American with Disabilities Act of 1990, 42 U.S.C. § 1210, *et seq.* See Complaint ¶ 14. Although Plaintiff has also asserted purported claims alleging a violation of South Carolina Bill of Rights for Handicapped Persons, S.C. Code Ann. § 43-33-510, *et seq.*, pursuant to 28 U.S.C. § 1441(c)(1), the entire action may be removed as the action would be removable without the inclusion of the other claims. *See id.*

5. Plaintiff's Complaint is removable to the United States District Court for South Carolina because the Complaint presents a federal question. Specifically, 28 U.S.C. § 1331 provides that "district courts shall have original jurisdiction over all civil actions arising under the Constitution, laws, or treaties of the United States." *See* 28 U.S.C. § 1331. Plaintiff's claims provide the basis for this Court's jurisdiction as they have brought suit under the laws of the United

States. Accordingly, Defendant is entitled to remove this action in accordance with 28 U.S.C. § 1441(a).

E. NOTICE TO PARTIES AND TO THE CIRCUIT COURT

6. Written notice of the filing of this Notice of Removal is being served on Plaintiff, and a copy of this Notice of Removal is being filed with the Clerk of Court for the Court of Common Pleas, Ninth Judicial Circuit in and for the State of South Carolina, County of Charleston, in compliance with 28 U.S.C. 1446(d).

WHEREFORE, Defendant Louis Vuitton USA Inc. respectfully requests that the above-styled action now pending against it in the Court of Common Pleas, Ninth Judicial Circuit in and for the State of South Carolina, County of Charleston be removed to this Court.

Dated: December 30, 2020

Respectfully submitted,

HOLLAND & KNIGHT LLP

/s/ George G. Robertson

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